

In-Home Supportive Services (IHSS) State Hearing Process

As an In-Home Supportive Services (IHSS) applicant/recipient, you have the right to view your case record *prior* to a state hearing. The county IHSS office should provide information that can be of assistance to you or someone that you authorize in preparing for the hearing. This includes revealing to you any program regulations and evidence available on your case.

Once a State hearing is filed, you will be assigned a county appeals specialist. The specialist will review your hearing request, contact you to discuss the issues, and attempt to resolve the issues prior to the hearing. If the issues can be resolved, the hearing will not occur and you may enter into a conditional withdrawal agreement with the county to resolve the issues. The county IHSS office has 30 days to carry out the actions specified in the conditional withdrawal.

The appeals specialist is also required to write a **position statement**. The position statement is the county's interpretation of the facts and laws that apply to your case and contains the reason(s) for their actions. The appeals specialist must make the position statement available to you two days before the hearing.

If the issue cannot be resolved, your case will be reviewed and presented before an Administrative Law Judge (ALJ). Both parties can bring witnesses to the hearing. The ALJ will then make a ruling and issue a decision regarding your IHSS program eligibility and/or grant the appropriate number of monthly authorized hours.



Please bring the following to your case hearing, if applicable:

- Position statement received from the county
- Your statement of the facts
- Health Care Documentation
- Letters from doctors and caregivers
- Documentation from child's school
- Photographs
- Police reports

For more information, contact your local county IHSS office.

**INSERT COUNTY CONTACT
INFORMATION HERE**